



13 November 2011

Bureau of Safety and Environmental Enforcement
Regulations and Standards Branch (RSB)
381 Eldon Street, MS-4024
Herndon, Virginia 20170-4817

AD-73 Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Revisions to Safety and Environmental Management Systems
Docket ID: BOEM-2011-0003 Agency: BOEMRIN: 1010-AD73

RE: Revisions to Safety and Environmental Management Systems (SEMS), 1010 – AD73

ATTN: Regulations and Standards Branch (RSB)

As a quality, health, safety and environmental firm, Bureau Veritas appreciates the opportunity to provide comment with regards to the Safety and Environmental Management Systems (SEMS) rule aimed at enhancing the safety and environmental performance of oil & gas operations in the outer continental shelf (OCS).

We believe requirement 250.1926, “What qualifications must an independent third party auditor meet?” requires more explanation and specificity regarding the conflict of interests language. The proposed rule provides that if a third party auditor is involved in developing and/or maintaining the SEMS program, then that person, organization, and or its subsidiaries could not audit the SEMS program.

We request the rule as to whether or not this restriction applies to Classification Societies involved in the classification of units under the scope of SEMS being audited be clarified. As a classification body providing services to the maritime industry, part of Bureau Veritas’ scope of work includes classification, certification, training and consultancy to ships, vessels or offshore structures and its operators to meet relevant quality, health, safety and environmental requirements of the international standards recognized by the maritime industry.

Although these services do not directly affect management systems, there is a potential that they will be viewed as a conflict of interest which could potentially impact the objectivity and impartiality of an independent third party audit firm, undermining the overall objectives of the proposed new rule.



Second, the proposed rule changes have many elements requiring the recognition of hazards and formal reporting of unsafe conditions. We agree that the success of a SEMS program ultimately depends on how effectively the operator engrains the principles underlying SEMS into the safety culture. To that end, we request that BSEE consider the inclusion of a requirement for Operators to conduct and submit an independent, anonymous, survey that validates the status of the existing safety culture, at least once every three years. This survey would provide evidence for how well the components of work stoppage, employee empowerment, employee participation, etc. have become engrained within the operating culture.

The results would provide further opportunities for action planning and remedial measures to be initiated. It would represent a viable "link" between the SEMS provisions and the acknowledged expressed reality of how those SEMS components need to be incorporated within a healthy safety culture.

In sum, we appreciate the opportunity to offer our comments to the proposed new SEMS rule and hope our comments are taken into consideration of the finalized rule.

Sincerely,

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